

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

TRAVIS R. NORWOOD,

Plaintiff,

v.

CIVIL ACTION NO. 2:20-cv-00299
2:20-cv-00350

BETSY JIVIDEN, et al.,

Defendants.

ORDER

Before the Court is Plaintiff's Motion for Default Judgment. (ECF No. 15.) By Standing Order entered January 4, 2016, and filed in this case on May 21, 2020, (ECF No. 5), this action was referred to Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation for disposition ("PF&R"). Magistrate Judge Tinsley entered his PF&R on January 12, 2022, recommending this Court deny Plaintiff's Motion for Default Judgment because Defendants had not been served with process. (ECF No. 18.)

The Court is not required to review, *de novo* or under any other standard, factual or legal conclusions contained within the PF&R to which no objections were addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review and Plaintiff's right to appeal this Court's order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a *de novo* review when a party "makes general and conclusory


objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).

Objections to the PF&R in this case were due on January 31, 2022. (ECF No. 18.) To date, no objections have been filed. Accordingly, the Court **ADOPTS** the PF&R, (ECF No. 18), and **DENIES** Plaintiff's Motion for Entry of Default Judgment, (ECF No. 15). This matter remains referred Magistrate Judge Tinsley.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: February 1, 2022

A handwritten signature in blue ink, appearing to read 'Th. Johnston', is written over a horizontal line.

THOMAS E. JOHNSTON, CHIEF JUDGE